

## **REMARKS/ARGUMENTS**

The Applicants appreciate the Examiner's consideration of the present Application. In the Office action, it was requested that the cross-reference to related applications section be updated, and claims 16, 17 and 32 were objected to because of certain informalities. Additionally, claims 1-32 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for several reasons. Further, claims 1-7, 9-13, 15-23, 25-29 and 31-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach et al. (U.S. Patent No. 6,549,937), and claims 8, 14, 24 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach et al. in view of Williams (U.S. Patent No. 6,591,272).

In response to the Office action, the Applicants have amended the Specification and Claims as indicated above and provide the following Remarks.

### **Objections to Specification/Claims and Rejections Under 35 U.S.C. 112**

In response to the comments in paragraphs 2-5 of the Office action, the Applicants have amended the Specification in order to update the cross-reference to related applications section, and also amended the Claims to correct the noted informalities and to address the indefiniteness concerns. None of the amendments adds new matter, and the Applicants respectfully submit that the claims in particular are now allowable under 35 U.S.C. 112 in view of these amendments.

With respect to the amendments to the claims, the Applicants note that the changes suggested in paragraph 5.A(i) of the Office action were not made, because the language that was objected to is in fact proper "Markush" language as set forth in Section 2173.05(h) of the M.P.E.P.

As for the indefiniteness rejections set forth in paragraph 5.B(i)-(iii) of the Office action, the Applicants respectfully traverse these rejections. In particular, with respect to the term "standard object protocol", the Applicants submit that this term is definite both on its face and in view of the usage of the term within the Specification at, for example, paragraphs 0038-0039 and at paragraphs 0067-0072. These paragraphs disclose that, in certain exemplary embodiments, the Simple Object Access Protocol (or "SOAP" protocol) can be used.

Further with respect to the term "a client program", the Applicants further submit that this term is definite both on its face and in view of the Specification at, for example,

paragraph 0036 (which discloses, for example, the use of a browser such as Internet Explorer) and in view of the other claims, for example, pending claim 14. As for the term “predetermined program”, that term is definite on its face, merely referring to any predetermined program. Further paragraph 0068 of the Specification provides further disclosure relating to the term “predetermined program”.

Therefore, in view of the amendments to the Specification and the Claims and in view of the arguments provided above, the Applicants submit that the objections to the Specification and Claims, and the rejections of the Claims under 35 U.S.C. 112 for indefiniteness, have all been overcome.

### **Rejections Under 35 U.S.C. 103(a)**

As for the substantive rejections of the claims 1-32 under 35 U.S.C. 103(a), the Applicants respectfully traverse these rejections and submit that these claims are allowable for at least the following reasons. In particular, despite the comments provided in paragraphs 7, 8 and 23 of the Office action, the Applicants submit that each of the independent claims 1 and 17 is allowable over Auerbach et al.

As best as the Applicants can determine, Auerbach et al. entirely fails to relate to an interface or other system that makes it possible for objects of different proprietary object protocols to be translated so as to conform to a standard object protocol at a server program so that the objects can then be communicated to a client program. In particular, the sections of Auerbach et al. referred to in the Office action appear to relate particularly to the communication of instant messaging data and user activity data (see col. 2, lines 21-32, col. 5, lines 4-12 and lines 27-43, col. 6, lines 1-13 and col. 10, lines 5-20 and 30-43).

Because Auerbach et al. merely relates to the communication of instant message data and user activity data, and not to the communication of objects, Auerbach et al. fails to disclose several of the features that are recited in claim 1. In particular, Auerbach et al. fails to disclose “a set of software objects including at least two third-party objects having differing proprietary object protocols also differing from the standard object protocol”. Further, Auerbach et al. fails to disclose “at least two object providers each communicating with the server program and one proprietary object to translate between standard object protocol and an associated one of the proprietary object protocols.” Auerbach et al. likewise fails to disclose corresponding limitations of claim 17.

Indeed, Auerbach et al. teaches a system with an entirely different purpose than that of the Applicants' invention. While the Applicants' invention is intended to allow "objects from multiple vendors [to be] simply utilized by a client program" as recited in claim 1, Auerbach et al. has nothing to do with enabling a client program such as a browser to utilize a variety of proprietary objects that are available at a server program. Rather, the purpose of Auerbach et al. simply is to make it possible for instant messaging to occur between users who are logged onto different service providers and, in certain circumstances, make activity data available regarding those users.

Thus, Auerbach et al. not only fails to disclose all of the features recited in Applicants' claims 1 and 17, but also Auerbach et al. fails to suggest the use of such features.

For at least these reasons, therefore, the Applicants submit that independent claims 1 and 17, as well as claims 2-16 and 18-32 depending therefrom, are allowable under 35 U.S.C. 103(a).

\* \* \*

### **Conclusion**


Given the Applicants' Remarks and Amendments, the Applicants respectfully request reconsideration and allowance of the present Application.

The Applicants wish to invite the Examiner to telephone the Applicants' attorney at the number listed below if discussion with the Applicants' attorney would be of assistance to the Examiner or further the prosecution of the present Application.

No additional fees for filing this paper are believed to be due. However, the Commissioner is hereby authorized to charge an additional fee due or to credit any overpayment to deposit account no. 17-0055.

Respectfully submitted,  
Jayme Edwards et al.

By: \_\_\_\_\_

  
John T. Pienkos  
Reg. No. 42,997  
Quarles & Brady  
411 E. Wisconsin Ave., Suite 2550  
Milwaukee WI 53202-4497  
(414) 277-5777